

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
  )ss.:  
COUNTY OF NEW YORK    )

Carla De Ycaza, being duly sworn, deposes and says:

Deponent is not a party to the action, is over 18 years of age and resides in Forest Hills, New York.

On July 30, 2008 deponent served a true and correct copy of the within  
**DECLARATION OF IRA NATHEL and PLAINTIFFS' REPLY OF MEMORANDUM  
OF LAW IN SUPPORT OF THEIR CROSS-MOTION TO FILE A SECOND AMENDED  
COMPLAINT** upon:


Sean O'Brien, Esq.  
ARKIN KAPLAN RICE LLP  
590 Madison Avenue, 35<sup>th</sup> Floor  
New York, NY 10022

John H. Eickemeyer, Esq.  
VEDDER PRICE, P.C.  
1633 Broadway, 47<sup>th</sup> Floor  
New York, NY 10019

Scott M. Himes, Esq.  
STILLMAN FRIEDMAN & SHECHTMAN P.C.  
425 Park Avenue  
New York, NY 10022

Susan B. Ratner, Esq.  
INGRAM YUZEK GAINEN CARROLL & BERTOLOTTI LLP  
250 Park Avenue, 6<sup>th</sup> Floor  
New York, NY 10177

at the address designated by said attorneys for that purpose, by depositing a true and correct copy thereof, enclosed in postpaid wrappers addressed to the above in an official depository under the exclusive care and custody of the U.S. Postal Service within the State of New York.

  
Carla De Yeaza

Sworn to before me this  
30th day of July, 2008

  
Notary Public

JASON B. LEVIN  
Notary Public, State of New York  
No. 02LE6139282  
Qualified in New York County  
Commission Expires on January 3, 2010